CASE 10106A CIP

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Debra A. Wojcik

Type or print name

Signature

MY 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

CARBONI ET AL.

APPLICATION NO: 10/814,199

FILED: MARCH 31, 2004

FOR: SYNERGISTIC METHODS AND COMPOSITIONS FOR TREATING-

CANCER

Mail Stop **Box Amendment** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants believe this paper is being filed before the mailing date of a first Office Action on the merits, and so under 37 C.F.R. §1.97(b)(3) no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-3880.

In accordance with 37 C.F.R. §1.56, applicants wish to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

Some of the listed references are of record in parent Application No. 10047 NP (Serial No. 10/677,067) filed October 1, 2003, and in parent Application No. LD0318 NP (Serial No. 10/676,214) filed October 1, 2003, and copies are available therein. However, applicants are willing to send copies of any or all of these references at the Examiner's request.

Also, copies of the other cited references are enclosed herewith.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,

Bristol-Myers Squibb Company Patent Department P.O. Box 4000 Princeton, NJ 08543-4000 (609) 252-3453

Date: (Jul 3,2004)

Maureen S. Gibbons Attorney for Applicants Reg. No. 44,121 FORM PTO-1449 (REV. 7-85)

EXAMINER

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION



ATTY. DOCKET NO. 10106A CIP APPLICATION NO. 10/814,199 APPLICANT CARBONI ET AL. FILING DATE MARCH 31, 2004

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	6,337,338	1/8/02	Kozlowski et al.			
	АВ						
	AC	·					
	AD						
	AE						
	AF						
	AG						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRAN: YES	SLATION NO
АН	WO 03/048133	6/12/03	PCT				
AI	WO 01/25220	4/12/01	PCT				
AJ	WO 00/35455	6/22/00	PCT				
 AK	WO 02/102804	12/27/02	PCT				
 AL	WO 02/092599	11/21/02	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	АМ	Lu, Y., et al., "Insulin-like Growth Factor-I Receptor Signaling and Resistance to Trastuzumab (Herceptin)", Journal of the National Cancer Institute, Vol. 93, No. 24, pp. 1852-1857 (2001)
	AN	Normanno, N., et al., "Cooperative inhibitory effect of ZD1839 (Iressa) in combination with trastuzumab (Herceptin) on human breast cancer cell growth", Annals of Oncology 13, pp. 65-72 (2002)
	АО	Werner, H., et al., "The <i>IGFI</i> Receptor Gene: A Molecular Target for Disrupted Transcription Factors", Genes, Chromosomes & Cancer, Vol. 36, pp. 113-120 (2003)
	AP	Lu, D., et al., "Simultaneous Blockade of Both the Epidermal Growth Factor Receptor and the Insulin- like Growth Factor Receptor Signaling Pathways in Cancer Cells with a Fully Human Recombinant Bispecific Antibody", The Journal of Biological Chemistry, Vol. 279, No. 4, pp. 2856-2865 (2004)
·	AQ	Grothey, A., et al., "The role of insulin-like growth factor I and its receptor in cell growth, transformation, apoptosis, and chemoresistance in solid tumors", J. Cancer Res. Clin. Oncol., Vol. 125, pp. 166-173 (1999)
	AR	Camirand, A., et al., "Co-targeting HER2/ErbB2 and insulin-like growth factor-1 receptors causes synergistic inhibition of growth in HER2-overexpressing breast cancer cells", Med. Sci. Monit., Vol. 8, No. 12, pp. BR521-BR526 (2002)

*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

DATE CONSIDERED

Sheet 2 of 4

FORM PTO-1449 (REV. 7-85) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO. 10106A CIP APPLICATION NO. 10/814,199 APPLICANT CARBONI ET AL. FILING DATE MARCH 31, 2004

		U.	S. PATENT	APPLICATION DOCUMENTS	S						
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CL	ASS SUBCI	_ASS	FILING DATE			
	AS	U.S. Patent Appln. No. 10/676,214 (BMS Docket No. LD0318NP)	Filed 10/1/03	Carboni, et al.							
	АТ	U.S. Patent Appln. No. 10/674,098 (BMS Docket No. LD0314NP)	Filed 9/29/03	Velaparthi, et al.							
	AU	U.S. Patent Appln. No. 10/263,448 (BMS Docket No. LD0227A CIP)	Filed 10/2/02	Wittman, et al.							
· · · · · ·	AV	U.S. Patent Appln. No. 10/751,798 (BMS Docket No. LD0313 NP)	Filed 1/5/04	Beaulieu, et al.							
	AW	U.S. Patent Application No. 10/677,067 (BMS Docket No. 10047NP)	Filed 10/1/03	Carboni et al.							
	AX										
			FOREIG	N PATENT DOCUMENTS	,						
		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRAI	SLATION NO			
	AY	WO 03/024967	3/27/03	PCT							
	AZ	WO 03/035619	5/1/03	PCT							
	ВА	WO 03/035616	5/1/03	PCT							
	вв	WO 03/018022	3/6/03	PCT							
	вс	WO 02/053596	7/11/02	PCT							
		OTHER DOCL	JMENTS (Including Author, Title, Date, Pertino	ent pages, E	itc.)	•				
	BD	Traxler, P., "Protein tyr pp. 571-588 (1997)	osine kinas	e inhibitors in cancer treatmen	t", Exp. Op	oin. Ther. Pat	tents, \	Vol. 7,			
	BE	Ellis, M., et al., "Insulin Treatment, Vol. 52, pp.		factors in human breast cance 1998)	er", Breast	Cancer Res	earch	and			
···	BF	Werner, H., et al., "The <i>IGFI</i> Receptor Gene: A Molecular Target for Disrupted Transcription Factors", Genes, Chromosomes & Cancer, Vol. 36, pp. 113-120 (2003)									
	"		•	, , ,							

*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

Sheet 3 of 4

FORM PTO-1449 (REV. 7-85) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO. 10106A CIP APPLICATION NO. 10/814,199 APPLICANT CARBONI ET AL. FILING DATE MARCH 31, 2004

U.S. PATENT APPLICATION DOCUMENTS											
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA	ASS	SUBCLAS	S F	LING DATE		
	BG										
	вн										
	ВІ	·									
	BJ										
	вк			•			-				
	BL										
	вм										
FOREIGN PATENT DOCUMENTS											
		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBC	LASS	TRAN YES	SLATION NO		
	BN	WO 02/053596	7/11/02	PCT							
	во	WO 99/60023	11/25/99	PCT			İ				
	ВР										
	BQ										
		OTHER DOC	UMENTS (ncluding Author, Title, Date, Pertine	nt pages, E	itc.)					
	BR	Camirand, A., et al., "C synergistic inhibition o No. 12, pp. BR521-52	f growth in H	HER2/ErbB2 and insulin-like gr ER2-overexpressing breast ca	owth fact ncer cells	or-1 red ", Med.	ceptors Sci. M	caus Ionit.,	es Vol. 8,		
	BS	like Growth Factor Re Antibody", The Journa	ceptor Signa I of Biologica	ade of Both the Epidermal Grov ling Pathways in Cancer Cells al Chemistry, Vol. 279, No. 4, p	with a Ful p. 2856-2	lly Reco 865 (20	ombina 004)	int Bis	pecific		
	вт	Lu, Y., et al., "Insulin-L (Herceptin)", Journal o	ike Growth lof the Nationa	Factor-I Receptor Signaling and Cancer Institute, Vol. 92, No.	d Resistar 24, pp. 1	nce to 7 852-18	Frastuz 57 (20	umab 01)			
	BU	Normanno, N., et al., "Cooperative inhibitory effect of ZD1839 (Iressa) in combination with trastuzumab (Herceptin) on human breast cancer cell growth", Annals of Oncology, Vol. 13, pp. 65-72 (2002)									
	BV	Garcia-Echeverria, C., et al., "In vivo antitumor activity of NVP-AEW541 – A novel, potent, and selective inhibitor of the IGF-IR kinase", Cancer Cell, Vol. 5, pp. 231-239, March 2004									
	BW	Mitsiades, C., et al., "I therapeutic strategy fo Cell, Vol. 5, pp. 221-2	r multiple m	ne insulin-like growth factor rec yeloma, other hematologic mali 104	eptor-1 ty gnancies	rosine , and so	kinase olid tun	activi nors",	ty as a Cancer		
	вх	Long, L., et al., "Loss of Antisense RNA to the March 1, 1995	of the Metas Insulin-like (atic Phenotype in Murine Carc Browth Factor Receptor", Canc	inoma Ce er Resear	lls Expirch, Vol	ressing I. 55, p	an p. 100	6-1009,		
EXAMIN	ER			DATE CONSIDERED							
		· · · · · · · · · · · · · · · · · · ·									

FORM PTO-1449 (REV. 7-85) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO. 10106A CIP APPLICATION NO. 10/814,199 APPLICANT CARBONI ET AL. FILING DATE MARCH 31, 2004

		U.	S. PATENT	APP	PLICATION PUBLICATIONS	s					
EXAMINER INITIAL		U.S. APPLICATION DOCUMENT	DATE OF		NAME	CL	ASS S	SUBCLAS		ILING DATE	
	BY	2004/0001833 A1	1/1/04		Agus						
	BZ	2004/0057950 A1	3/25/04		Waksal et al.						
			U.S. I	PAT	ENT DOCUMENTS	•					
	CA										
	СВ										
•	СС										
	CD										
	CE										
	CF										
			FOREIG	N P	ATENT DOCUMENTS		•		•		
		DOCUMENT NUMBER DATE OFFICE CLASS SUBCLASS TRANSLATION YES NO									
	CG	EP 0 385 850 A2	2/27/90	EF)						
	СН										
	CI										
	CJ										
	СК								Q		
	-1	OTHER DOC	UMENTS (Inclu	ding Author, Title, Date, Pertiner	nt pages, E	itc.)	. · ·	•	•	
	Maloney, E., et al., "An Anti-Insulin-like Growth Factor I Receptor Antibody That Is a Potent Inhibitor of Cancer Cell Proliferation", Cancer Research, Vol. 63, pp. 5073-5083, August 15, 2003										
	СМ	Burtrum, D., et al., "A Fully Human Monoclonal Antibody to the Insulin-Like Growth Factor I Receptor Blocks Ligand-Dependent Signaling and Inhibits Human Tumor Growth <i>in Vivo</i> ", Cancer Research, Vol. 63, pp. 8912-8921, December 15, 2003									
	CN										
EXAMIN	ER				DATE CONSIDERED						

*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.